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ABSTRACT

As provided by the Stewart B. McKinney Homeless Assistance Act, the Massachusetts State Department of Education (MSDE) has developed this plan to attempt to meet the educational needs of homeless children and to supply them with resources to meet those needs. The plan contains a section delineating federal and state laws and state policies regarding the education of homeless children, and a section detailing the goals and objectives of the MSDE. The overall goal is to assure that homeless children receive appropriate educational services in a manner that will support their success in school; this includes providing the following: (1) adequate transportation; (2) minimal delay in transferring from one school to another; (3) full assimilation into the mainstream school environment; (4) no stigmatization from peers or others in the school community; (5) protection of their confidentiality and that of their families; and (6) access to the full range of supports the community can offer. Specific objectives toward these ends are listed in the second portion of this report. Appendices provide the following: (1) a description of accomplished objectives and activities from May 1990 to May 1991; (2) a description of the complaint management system; (3) a state report on homeless children; (4) a description of federal regulations about the distribution of McKinney funds; (5) an outline of the New Hampshire school lunch program; and (6) the inservice workshop request form for schools. (SLD)

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STATE PLAN TO ADDRESS THE EDUCATIONAL NEEDS OF HOMELESS CHILDREN AND YOUTH

1991 - 1994

(Revised May 1991)

Massachusetts Department of Education
Office for the Education of Homeless Children and Youth

(617) 770-7493

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"It is the policy of Congress that -

(1) each State educational agency shall ensure that each child of a homeless individual and each homeless youth have access to a free, appropriate public education which would be provided to the children or a resident of a State and is consistent with the State school attendance laws;"

(McKinney Homeless Assistance Act, Subtitle VII - B)

" All children, including children living in shelters, motels, and other temporary living situations, must be guaranteed a free and appropriate public education. Any educational program which consists of multiple school placements during the course of an academic year is not appropriate and will only serve to impede a child's education and overall development. We must not allow homeless children to experience further instability and inconsistencies in their lives by forcing them to move from school to school. The goal of the Department of Education is to ensure that homeless children have the chance to remain in one school, with familiar peers, teachers, and curricula. To accomplish this goal all agencies involved with homeless families must work together with schools and parents to address the issues which keep families locked into a cycle of instability and transiency."

Harold Raynolds, Jr., Commissioner
Massachusetts Department of Education

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I. INTRODUCTION

A. History

In July 1987 President Reagan signed into effect Public Law 100-77, the Stewart B. McKinney Homeless Assistance Act. The purpose of this omnibus legislation is to aid homeless individuals and families by providing states with federal funds to establish programs for homeless persons. Title VII, Subtitle B of this public law addresses the education of homeless children. This original legislation required each State receiving McKinney funds from the United States Department of Education to:

- •establish or designate an Office of Coordinator of Education of Homeless Children and Youth;
- •annually gather data on the number and location of homeless children and youth in the State, and such data gathering shall include the nature and extent of problems of access to, and placement of, homeless children and homeless youth in elementary and secondary schools, and the difficulties in identifying the special needs of such children;
- •adopt a plan to provide for the education of each homeless child or homeless youth within the State.

The McKinney Act was reauthorized in November 1990 with significant changes to Title VII, Subtitle B. Some of the major amendments are:

- •State Educational Agencies (SEAs) and Local Educational Agencies (LEAs) must now review and revise as necessary all laws, regulations, practices, or policies that may act as a barrier to the enrollment, attendance, or success in school of homeless children and youth;
- •state plans must include provisions for ensuring that homeless students have access to existing before- and after-school care programs, and existing school meal programs;
- •state plans must contain provisions for the development of programs to inform school personnel about the educational needs of runaway and homeless youth;
- •any increase in McKinney funds a SEA receives must be distributed to LEAs through a Request For Proposal process with no less than 50% of these funds to be used on primary educational activities.

To date the Massachusetts Department of Education has received four years of funding (average grant = $93,000) under Subtitle B of the McKinney Act, and one Exemplary Grant ($168,000). These funds have been used to carry out the requirements of the McKinney Act and to develop pilot/exemplary projects to meet the educational needs of homeless children and youth in the Commonwealth. (See Appendix A for a list of the accomplishments of this Office from May 1990 to May 1991.)

B. Purpose

A major purpose of the following plan is to guide this Department and local education agencies as they attempt to meet the educational needs of homeless children and to supply them with resources to meet these needs. It also clarifies the Massachusetts Department of Education's policies relating to the education of homeless students and describes future goals and strategies.

The plan was created as a document which can be amended, when applicable, to best serve homeless children. This is the second revision of the original plan approved by the Board of Education in March 1989. The format of the plan will allow for easier revisions in the future, as the more "fluid" parts of the plan (i.e., goals, objectives, activities) have been separated from the policy section.

C. Format

After the introductory section, the plan contains two major components: a section which delineates federal and state laws and state policies regarding the education of homeless children, and a section detailing the goals and objectives of the Department as related to the education of homeless children and youth.

D. Definitions

As used in this plan, the following words shall have the meanings stated below:

1. Homeless: A homeless individual is one who (1) lacks a fixed, regular, and adequate residence, or (2) has a primary nighttime residence in a supervised publicly or privately operated shelter for temporary accommodations (including welfare hotels, congregate shelters, and transitional housing for the mentally ill), an institution providing temporary residence for individuals intended to be institutionalized, or a public or private place not designated for, or ordinarily used as, a regular sleeping accommodation for human beings. [McKinney Homeless Assistance Act, Section 103 (a) (1) (2)]

According to guidelines developed by the United States Department of Education (USED), this includes those children/youth living in family, adolescent, battered women, and transitional housing shelters, in cars, in abandoned buildings, and on the street. Three additional conditions of homelessness specified by the USED guidelines include:

a) In general, children living in foster homes should not be considered as homeless. However, **children placed in foster homes for lack of shelter space,** should be considered homeless.

b) Sick or abandoned children in hospitals, who would otherwise be released if they had a place to go, should be considered as homeless. There are instances where children remain in hospitals beyond the time that they would normally stay for health reasons because they have been abandoned by their families, or their parents have died. These children should be considered homeless because they have no other place to live.

c) Children living in trailer parks and campgrounds should be considered homeless if they are staying temporarily in parks or camping areas because they lack living accommodations that would be considered adequate under section 103 of the McKinney Act. (See above.) Those living in trailer parks on a long-term basis in adequate accommodations, however, should not be considered homeless.

d) Runaways and youth who have been "thrown out" of their home environment and who are living in a shelter, on the street, or who move from one friend's house to another in a cycle of transiency are also recognized to be homeless.

e) Children/youth living in "doubled-up" situations should be considered homeless as well. The "doubled-up" or "hidden homeless" population is defined as:

* any child or youth temporarily living in an overcrowded situation (with or without their parents) with friends or relatives because they have been displaced from their previous residence due to one or more or the following reasons in which the child/youth and/or his/her family:

- were paying over 50% of their income for rent and were evicted when they failed to make rent payments;
- left the previous residence because of an abusive situation;
- were displaced by a public improvement, or condemnation resulting from enforcement of the state sanitary code;
- were displaced due to condominium conversion or removal of the unit from the rental market;
- were displaced due to substandard housing conditions that posed a threat to the health and safety of the household;
- were displaced due to a fire or other catastrophic event;
- were displaced because of over-crowded conditions in the previous residence.

2. Child/Youth: those persons who, were they children of residents of the State, would be entitled to a free public education [McKinney Nonregulatory Guidance]

3. School District: the entire geographic area under the control of a particular school committee

4. School Attendance Zone: an intra-district area defined by local school authorities, the residents of which are entitled to attend the public school serving that area (Corresponds with the term "geocode".)

5. School of Origin: the school that the child or youth attended when permanently housed **or** the school in which the child or youth was last enrolled, whichever is most recent.

6. School District or Attendance Zone of Temporary Residence: the school district or attendance zone, within the Commonwealth of Massachusetts, in which the shelter, motel/hotel or other temporary living situation is located.

II

FEDERAL LAWS AND MASSACHUSETTS LAWS AND POLICIES REGARDING THE EDUCATION OF HOMELESS CHILDREN AND YOUTH

A. District of Attendance and General Educational Services

1.1 Federal Law (McKinney Act)

(*Note: the following excerpts were taken from the McKinney Homeless Assistance Act. Only pertinent sections are used; therefore, the lettering and numbering of the sections may not be consecutive.)

Each State shall adopt a plan to provide for the education of each homeless child or homeless youth within the state which will contain provisions designed to -

(A) authorize the State educational agency, the local educational agency, the parent or the guardian of the homeless child, the homeless youth, or the applicable social worker to make the determinations required under this section;

[42 U.S.C. sec 11421 (e) (1) (A)]

(D) ensure that homeless children and homeless youths who meet the relevant eligibility criteria are able to participate in Federal, State, or local food programs;

(E) ensure that homeless children and homeless youths who meet the relevant eligibility criteria are able to participate in Federal, State or local before- and after-school care programs and provide for the disclosure of data concerning the participation of such children in such programs in plans submitted by the State after the initial plan of the State;

[42 U.S.C. sec 11421 (e) (1) (D) & (E)]

(A) The local educational agency of each homeless child and homeless youth shall either -

(i) continue the child's or youth's education in the school of origin

(I) for remainder of the academic year; or

(II) in any case in which a family becomes homeless between academic years, for the following academic year; or

(ii) enroll the child or youth in any school that non-homeless students who live in the attendance area in which the child or youth is actually living are eligible to attend; whichever is in the child's best interest or the youth's best interest.

(B) In determining the best interests of the child or youth for making a school assignment under subparagraph (A), consideration shall be given to a request made by a parent regarding school selection.

(C) For the purposes of this paragraph, the term "school of origin" shall mean the school that the child or youth attended when permanently housed, or the school in which the child or youth was last enrolled.

[42 U.S.C. sec 11421 (e) (3) (A), (B) & (C)]

(4) The choice regarding placement shall be made regardless of whether the child or youth is living with the homeless parents or has been temporarily placed elsewhere by the parents.

(5) Each homeless child shall be provided services comparable to services offered to other students in the school selected according to the provisions of paragraph (3), including educational services for which the child meets the eligibility criteria, such as compensatory educational programs for the

disadvantaged, and educational programs for the handicapped and for students with limited English proficiency, programs in vocational education, programs for the gifted and talented, and school meals programs.
[42 U.S.C. sec 11421 (e)(4) & (5)]

1.2 Massachusetts Law

"Every person shall have a right to attend the public schools of the town where he actually resides."
(Mass. G.L., c. 76, S5)

1.3 Policy of the Massachusetts Department of Education

Parents or guardians of homeless children have the right to choose whether to continue to have their children attend school in the school of origin (see page 4 for the definition of "school of origin") or to enroll them in school in the attendance area of temporary residence. Parents or guardians have this right whether the child is moving from one residence to another within one district or between districts. This right is extended to children who become homeless during the school year and those children who lose their place of residence during the summer (i.e., between academic years). These children have the right to receive any educational programs (i.e., Chapter 1, bilingual, gifted and talented, special education, vocational education, school meals, etc.) for which they meet the eligibility criteria, and such students are expected to abide by the code of conduct pertaining to all students adopted by the school committee of the district in which they are attending school.

(a) Parents or guardians of homeless children and adolescents who are in temporary or voluntary custody of the Massachusetts Department of Social Services (DSS), or any other designated state agency, may still maintain the right to choose which school their child will attend. In cases where DSS or another designated agency has permanent custody of the homeless child or adolescent, the appropriate social worker is entitled to choose which school the child/youth will attend unless a legal guardian or an Educational Advocate for special educational needs has been designated. The legal guardian or the Educational Advocate would then be entitled to select which school the child/youth will attend.

(b) Any homeless youth who is eighteen years of age or over has the right to decide which school he/she will attend.

(c) The decision regarding which school a homeless adolescent, who is under eighteen years of age and is living apart from his/her parents, will attend will be deferred to parental choice, unless the parents are uninvolved. When the parents are not involved the decision will be deferred to the youth until custody is assumed by an agency or individual. The filing of an appropriate CHINS or Care and Protection petition and/or a referral to the Department of Social Services should be considered by the shelter providers or other involved persons. The legal guardian will then be responsible for the choice of schools as described in paragraph 1.3 and 1.3(a) above. If the adolescent has or is suspected of having special educational needs and his/her parents are

deceased, out-of-state, unknown, cannot be located, or are otherwise unavailable to participate in the special education process, the receiving school will refer the adolescent to the Department of Education for the appointment of an Educational Advocate to represent the adolescent in the special education process.

(d) In giving this right to the parents (except in cases as mentioned above) the Department of Education assumes that the parents will make their decisions based on what is best for the child. When the parents (or others) are in the process of making this decision, the input of the child's present teacher should be an essential part of this decision-making process. Parents should consider the following as they decide which school their child will attend:

* length of commute to/from school and cost of such transportation
* special educational needs of child
* continuity in one educational program
* the child/youth's school preference
* geographical area in which housing search is being done
* number and ages of siblings and schools they are attending
* month of the school year
* schools other children (if any) in the shelter/motel are attending
* number of times child has changed schools in the past
* how long the child has been in a particular school
* how long the child has been in the city
* relationship of child with teachers

(e) To ensure the participation of eligible homeless children and youth in federal, state or local food programs, the Office for the Education of Homeless Children and Youth (OEHCY) will work closely with the Department's Bureau of Nutrition which oversees such food programs. In addition, OEHCY will initiate contact with other pertinent agencies in the state (e.g., Women, Infant and Children (WIC) programs, Dept of Public Welfare food stamp distributors) to ensure they are familiar with the McKinney Act requirements. Information regarding a homeless child's rights of access to such programs will be included in workshops given to school personnel and shelter providers.

(f) To ensure the participation of eligible homeless children and youths in before- and after-school care programs OEHCY will contact the pertinent Child Care agencies throughout the State and inform them of the McKinney Act requirements. A collaboration will be developed with these agencies to ensure homeless children/youth do have access to federal, state, and local before-and after-school care programs, and to collect the needed data for the subsequent state plan. Information regarding a homeless child's rights of access to such programs will be included in workshops given to school personnel and shelter providers.

B. Transportation for Homeless Children

2.1 Federal Law (McKinney Act)
(*Note: the following excerpts were taken from the McKinney Homeless

Assistance Act. Only pertinent sections are used; therefore, the lettering and numbering of the sections may not be consecutive.)

(1) Each State shall adopt a plan to provide for the education of each homeless child or homeless youth within the State which will contain provisions to - . . .

. . . (G) address problems with respect to the education of homeless children and homeless youths, including problems caused by -

(i) transportation issues; . . .

[42 U.S.C. 11421 (e) (1) (G) (i)]

(9) Each State and local educational agency shall review and revise any policies that may act as barriers to the enrollment of homeless children and youth in schools . . . In reviewing and revising such policies, consideration shall be given to issues concerning transportation. .

[42 U.S.C. 11421 (e) (9)]

2.1 Massachusetts Law

Massachusetts school committees must provide transportation to students who reside in excess of two miles from the school they are entitled to attend.

(Mass G.L., c. 71, sec 68)

Towns will receive state reimbursement for transportation provided to students who reside at least one and one-half miles from the school they are entitled to attend.

(Mass G.L., c. 71, sec 7A)

2.2 Policy of the Massachusetts Department of Education

(a) Homeless children who are attending the school assigned to them by the local school district are entitled to the same school transportation that is offered to other children in that district. If homeless children are attending school in their attendance **zone of origin** and this is different than their attendance **zone of temporary residence**, the local school district is urged to transport them to/from their school of attendance; these transportation costs are reimbursable under the regular schedule of reimbursement from the state of Massachusetts.

(b) Homeless children with special needs who wish to continue to attend their original school (even though they are living in another zone or district) and have transportation written into their Individualized Education Plan (IEP), must be transported from their temporary residence to their school of origin until the end of the school year. Chapter 766 Regulations regarding the time a child can spend being transported to/from school, apply here: "The school committee shall not permit any child in need of special education to be transported in a manner which requires a child to remain in the vehicle for more than one hour each way except with the written request of a TEAM, and the approval of the Administrator of Special Education." (905.2)

(c) In cases where a child is living in one school district and wishes to

continue in his/her school of origin, which is in a different district, the school district providing the child's educational program shall make every effort to transport the child to/from school. Possible actions to be taken by the district include:

*dividing the responsibility for that child's education by having the district in which the child is temporarily living provide the transportation to/from school for that child;

*reviewing existing contracts with transportation companies and including transportation for homeless students across district lines in the new contract;

*reviewing all resources present in the community (e.g., public transportation, volunteers, other school vehicles) to set up a system whereby transportation to/from school for all homeless children would be available.

If a district has made a good-faith effort to provide this inter-district transportation and is still not able to meet the child's transportation needs, the ultimate responsibility for getting the child to/from school lies with the child's parents.

C. School Records

3.1 Federal Law (McKinney Act)

(*Note: the following excerpts were taken from the McKinney Homeless Assistance Act. Only pertinent sections are used; therefore, the lettering and numbering of the sections may not be consecutive.)

(1) Each State shall adopt a plan to provide for the education of each homeless child or each homeless youth within the State which will contain provisions to - . . .

(G) address problems with respect to the education of homeless children and homeless youths, including problems caused by -. . .

(ii) enrollment delays which are caused by -

(I) immunization requirements;

(II) residency requirements;

(III) lack of birth certificates, school records, or other documentation; or

(IV) guardianship issues;

(6) Any record ordinarily kept by the school, including immunization records, academic records, birth certificates, guardianship records, and evaluations for special services or programs, of each homeless child or youth shall be maintained -

(A) so that the records are available in a timely fashion, when a child or youth enters a new school district; and

(B) in a manner that is consistent with section 438 of the General Education Provisions Act."

(9) Each State and local educational agency shall review and revise any

policies that may act as barriers to the enrollment of homeless children and youth in schools . . . In reviewing and revising such policies, consideration shall be given to issues concerning . . . requirements of immunization, residency, birth certificates, school records, or other documentation, and guardianship. Special attention shall be given to ensuring the enrollment and attendance of homeless children and youths who are not currently attending school.

[[42 U.S.C. 11421 (e) (1), (6) & (9)]

3.2 State Regulations

Massachusetts Department of Education's Student Records Regulations 603 CMR 23.01-23.12

3.3 Policy of the Massachusetts Department of Education

All homeless children/youth are entitled to start school immediately upon registration, except for those children who have not been properly immunized. The regular Massachusetts policy on record transfer will be adhered to with additional considerations for homeless children. The provisions delineated in section 3.3 (a) and (b) should be followed only after the following two conditions have been met:

1) the parent or guardian of a homeless child, or a homeless youth who is fourteen years of age or over, or in the 9th grade, gives written consent to school personnel to make the telephone calls described below, and
2) the parent or guardian of a homeless child, or a homeless youth who is fourteen years of age or over, or in the 9th grade, signs a release-of-information form which is in the process of being mailed back to the sending school so that the child's/youth's original school records will be sent to the receiving school.

(a) If a homeless child wishes to register in a school and does not have a transfer card or any other written record of immunization but has been immunized and the records are on file at a previous school, the school nurse of the receiving school may call the school nurse of the sending school and take the immunization information over the telephone. When the school nurse has verified that the student has been age-appropriately immunized and a new school health record card completed, the student may start school in the new setting. This will ensure availability of records if the student transfers again soon.

(b) Whenever documentation of the student's immunization history is missing, the student is considered to be not immunized and may not enter school until the first in-the-series of immunizations have been administered. This also applies to the Department of Public Health requirement (effective August 1, 1991) which states:

"No child shall be admitted to grade 7 (or in the case of an ungraded classroom, beyond the 12th birthday) without a physician's certificate or copy of an immunization record from a school in the Commonwealth that the child has received,. . . ,a second dose of a live measles containing

vaccine." (105 CMR 220.500 B)
School personnel should then direct the child's parents to the local Department of Public Health office or a local clinic where the vaccines are administered. If the school nurse is eligible to administer the vaccines he/she should provide these services to the family.

(c) In accordance with the Massachusetts Department of Public Health requirement (105 CMR 460.050) all children must be screened for lead poisoning at least once prior to entering kindergarten and evidence, such as a note from a physician or health care clinic indicating that the child has been previously screened, is required. **But homeless children cannot be excluded from school because they have not been screened or do not have the proper documentation.** They must be allowed to start school with the understanding that such a screening will be forthcoming within a reasonable amount of time. If the parent is confident that their child has been screened, but is having trouble producing the documentation, personnel in the Department of Education's Office for the Education of Homeless Children and Youth, and the Bureau of Student Development and Health can assist these families to obtain verification of the screening dates. As with the immunization records, information on lead screenings can be transferred over the telephone.

(d) The school receiving a homeless child can verify the child's general academic record (i.e., grade level, general test scores) by calling the sending school and asking for the information over the telephone.

(e) If a homeless child was previously enrolled in a special education program but has no records of this on hand, the sending school must provide the parents or eligible student access to these records within two consecutive weekdays after the initial request. [Student Record Regulations 23.07 (2)] **Non-receipt of records cannot be used as a reason to delay services for the child.** Schools should offer the child the most appropriate services based on the information they do have until the records arrive. If parents or the receiving school do not receive these records within the 2-day period, they can either call the sending school to inquire into the reason for the delay, or call the Massachusetts Department of Education, Office for the Education of Homeless Children and Youth,to help enforce this record transfer regulation.

(f) To protect the safety of mothers and children living in shelters for battered women, the mailing address or the Post Office Box number of the office of such shelters, along with verification from the shelter director that the children are residing in that facility, can be used on the school registration forms in lieu of the street address of the children's actual residence. In addition, if a woman living in such a shelter does not wish to reveal the name, address or telephone number of her children's father, school personnel cannot require this information.

(g) Collaboration between various state agencies and school districts can create a smooth transition for homeless children who are moving from one school to another. Workers from the Departments of the Public Welfare and Social

Services assigned to the homeless families can work with these families to ensure the current medical, educational, psychological, and other pertinent records are provided to the receiving school. But, in all cases, the families involved must be informed that such information may be or is being shared with other state or local agencies.

D. Chapter 1 Services for Adolescents in Shelter Care and Children Living in Shelters for Battered Women

4.1 Federal Regulations (Chapter 1 Rules and Regulations)

"Except as provided in sec 200.24, an SEA shall allocate county aggregate amounts to LEAs as follows:

(a) Allocations based on children in local institutions for neglected or delinquent children. (1)(i) Except as provided in paragraphs (a)(2), (3) and (4) of this section, the SEA shall first allocate to a particular LEA that portion, if any, of the county aggregate amount that is based on the total number of children aged 5 to 17, inclusive, in the LEA's school district who resided in a local institution for neglected or delinquent children - and were not counted under Subpart 3 of Part D of Chapter 1 (programs for neglected or delinquent children operated by State agencies) - for at least 30 consecutive days, at least one day of which was in the month of October of the preceding fiscal year."

"'Institution for neglected children' means, as determined by the SEA, a public or private residential facility - other than a foster home - that is operated primarily for the care of children who have been committed to the institution- or voluntarily placed in the institution under applicable State law- because of the abandonment by, neglect by, or death of parents."

4.2 Policy of the Massachusetts Department of Education

(a) Adolescent shelters in Massachusetts, which are recognized as licensed agencies by either the state or federal government, and which shelter youth who have either run away from home, been "thrown out" of their home, or who are homeless for any other reason, shall be considered as "local institutions for neglected children". As such facilities they shall be eligible to receive Chapter 1 services as delineated in the Chapter 1 Rules and Regulations.

(b) Shelters for battered women and their children, which are recognized as licensed agencies by either the state or federal government, and which shelter women and their children who have fled their previous residence because of abuse, shall be considered as "local institutions for neglected children". Such shelters which provide an in-house educational program for the children in residence (in lieu of the children attending the local public school) shall be eligible to receive Chapter 1 services as delineated in the Chapter 1 Rules and Regulations.

E. Services For Homeless Children Who Find Permanent Housing During the School Year

5.1 Policy of the Massachusetts Department of Education

Children who move from a homeless situation (i.e., living in a shelter, motel or doubled-up situation) into a permanent residence during the course of a school year have the right to stay in the school they were attending while living in the shelter, motel, or doubled-up situation until the end of that school year. The parents have the right to make this decision (except in those cases listed in Section 1.3). If the parents decide to keep their child in the school he/she was attending while they were homeless, and this school is not within the boundaries of the school attendance area in which they are permanently housed, the policies delineated in Section 2.2 of this Plan will apply.

F. Resolution of Disputes and Assurance of Compliance

6.1 Federal Law (McKinney Act)

"Each State shall adopt a plan to provide for the education of each homeless child or homeless youth within the State which will contain provisions designed to -

(B) provide procedures for the prompt resolution of disputes regarding the educational placement of homeless children."

[NEW CITATION]

6.2 Policy of the Massachusetts Department of Education

To settle disputes or complaints of non-compliance regarding the education of a homeless child or youth, the Department's Complaint Management System will be utilized. Corporal punishment and complaints concerning students who are out of school without educational services shall be given priority at all stages of the complaint process so that they may be investigated and resolved at the earliest possible date. If the dispute concerns the placement of a homeless child in school, the time needed to settle the dispute must not delay the child's entry into school. Until the dispute is settled, the child will attend the school the parents or guardians have chosen. (See Section 1.3.)

For a description of the steps involved in the Complaint Management System see Appendix B.

G. Inservice Workshops for School Personnel / Curricula for Students

7.1 Federal Law (McKinney Act)

Each State shall adopt a plan to provide for the education of each homeless child or homeless youth within the State which will contain provisions designed to - . . . . . .(C) develop programs for school personnel (including principals, attendance officers, teachers and enrollment personnel) to heighten the awareness of such personnel of the specific educational needs of runaway and homeless youths;

[42 U.S.C. 11421 (e) (1) (C)]

7.2 Policy of the Massachusetts Department of Education

Each school district in the Commonwealth will have the opportunity to receive an inservice training around the topic of homelessness and specifically, how being homeless affects children. Such inservices will be available upon request from the Department's Office for the Education of Homeless Children and Youth (OEHCY). This Office will act in conjunction with local Welfare and Social Services offices, shelters, and community action agencies to prepare and present such inservices. Every school district is urged to provide such an inservice training for its personnel.

The OEHCY will also make available to all school districts in the Commonwealth a curriculum and video about homelessness for high school students, and a curriculum about homelessness for elementary and middle school students.

H. Data Collection

8.1 Federal Law (McKinney Act)

(*Note: the following excerpts were taken from the McKinney Homeless Assistance Act. Only pertinent sections are used; therefore, the lettering and numbering of the sections may not be consecutive.)

The Coordinator of Education of Homeless Children and Youth established in each State shall -

(1) once every two years gather data on the number and location of homeless children and youth in the State, and such data gathering shall include the number of homeless children and homeless youths enrolled in schools in the State, determined through random sampling or other statistical methods that ensure that such children and youths are not overly identified as being homeless, the nature and extent of problems of access to, and placement of, homeless children and homeless youth in elementary and secondary schools, the difficulties in identifying the special needs of such children, and any progress made by the State educational agency and local educational agencies within the state in addressing such problems and difficulties;

(3) prepare and submit to the Secretary not later than December 31, 1991

and on December 31 of every second year thereafter a report on the data gathered pursuant to paragraph (1);
[42 U.S.C. 11421 (d) (1) & (3)]

8.2 Policy of the Massachusetts Department of Education

The Coordinator of the Office for the Education of Homeless Children and Youth is responsible for the data collection relating to the education of homeless children required by the United States Department of Education. Such state-wide data will include:

- number of homeless children of school-age, broken down by grade level
- location of these children (i.e., public or private shelters, hotels/motels, living with friends or relatives, etc.)
- problems homeless children encounter in receiving all the educational services to which they are entitled
- number of homeless school-age children not attending school, if any
- reasons homeless children are not attending school
- unique educational needs of homeless children

In collecting this data the Coordinator will make use of the statistics available through the state Department of Public Welfare, through surveys sent to shelters within the state, and information collected from the "End of Year Report" completed annually by each school district.

After collecting this information the Coordinator will file a report which address the pertinent issues, with the United States Department of Education by December 31 of the year the report is due. (See Appendix C for 1990 Report.)

I. Development, Review and Revision of Policies, Regulations and Practices

9.1 Federal Law (McKinney Act)
(*Note: the following excerpts were taken from the McKinney Homeless Assistance Act. Only pertinent sections are used; therefore, the lettering and numbering of the sections may not be consecutive.)

It is the policy of Congress that - . . .
...(2) in any State that has a residency requirement as a component of its compulsory school attendance laws, or other laws, regulations, practices, or policies that may act as a barrier to the enrollment, attendance, or success in school of homeless children and homeless youth, the State will review and undertake steps to revise such laws, regulations, practices or policies to assure that the children of homeless individuals and homeless youth are afforded a free and appropriate public education and homelessness alone should not be sufficient reason to separate students from the mainstream school environment.
[42 U.S.C. 11421 sec 721 (2)]

Each State shall adopt a plan to provide for the education of each homeless child or homeless youth within the State which will contain provisions designed to - . . .

...(H) demonstrate that the State and local educational agencies in the State have developed and will review and revise policies to remove barriers to the enrollment and retention of homeless children and homeless youths in in schools of the State; and

(I) ensure that the State educational agency and local educational agencies within the state will adopt policies and practices to ensure that homeless children are not isolated or stigmatized.

[42 U.S.C. 11421 (e) (1) (H) & (I)]

9.2 Policy of the Massachusetts Department of Education

To meet the McKinney requirement of policy review and revision the Department will take the following steps:

1) this State Plan, which contains a comprehensive description of the McKinney regulations, state regulations and Department policies will be disseminated to all school districts in the state. A brochure for homeless parents, which gives a synopsis of the educational rights of homeless children and youth will be sent to all schools, shelters, state agencies, and advocacy groups within the Commonwealth. School districts will be informed that their local policies must be in agreement with those set forth in the State Plan;
2) regionalized "peer review" meetings will be organized around the state. At such meetings groups of school districts will be brought together with shelter providers, advocates, personnel from other state agencies, students, and community action agencies, to discuss current polices and practices that may be barriers to homeless students. Such groups will also define actions to revise such policies/practices to ameliorate any existing barriers;
3) policies or regulations promulgated by other state agencies or this Department which are proving to be barriers to homeless students will be discussed by the Advisory Committee and appropriate steps taken to review these with the responsible agency. Revision of such regulations will be sought if needed.

Policies to be examined should include:

* transportation of homeless children to/from school;
* moving families from shelter to shelter or motel within the school year; (Dept of Public Welfare)
* placing identifying markings or color on school lunch tickets given to children living in motels or shelters; (Local Educational Agencies)
* frequent use of suspension/expulsion of homeless adolescents; (Local Educational Agencies)
* immunization data requirements in relation to other states; (Dept of Public Health)

J. Interagency Collaboration/Dissemination of Information

10.1 Federal Law (McKinney Act)

(*Note: the following excerpts were taken from the McKinney Homeless Assistance Act. Only pertinent sections are used; therefore, the lettering and numbering of the sections may not be consecutive.)

The Coordinator of Education of Homeless Children and Youth established in each State shall - . . .

(4) facilitate coordination between the State education agency, the State social services agency, and other agencies providing services to homeless children and youth and their families;

(5) develop relationships and coordinate with other relevant education, child development or preschool programs and providers to homeless children, homeless families and runaway and homeless youths (including domestic violence agencies, shelter operators, transitional housing facilities, runaway and homeless youth centers, and transitional living programs for homeless youths) in order to improve the provision of comprehensive services to homeless children and homeless youths and the families of such children and youths.

[42 U.S.C. 11421 (d) (4) & (5)]

The State will consult with relevant advisory committees, local agencies, interest groups, and experienced professionals in the development of the State's plan.

[Assurances, GEPA, 6(a)]

10.2 Policy of the Massachusetts Department of Education

(a) In order to facilitate coordination between this Department of Education and other pertinent state agencies, the Office for the Education of Homeless Children and Youth and the Office of Adult Education with the Homeless will establish and maintain an **Advisory Committee** composed of homeless or formerly homeless people, representatives from other state agencies (including the Dept of Public Welfare and the Dept of Social Services,) community service organizations, school personnel, staff from adolescent, family, individual and battered women shelters, Head Start, and other interested parties. The specific goals and objectives of this group will be decided through a group process.

(b) To ensure the fruits of the collaboration which takes place through the Advisory Committee reaches the local level, mailings describing the activities, goals, objectives, etc. of this Committee should be disseminated to the shelters, schools and other pertinent grass-roots organizations [including Parent, Teacher, Student, Organizations (PTSO)].

K. Homeless Families Living In Doubled-up Situations

11.1 Policy of the Massachusetts Department of Education

The Department recognizes the increasing number of homeless families living in doubled-up situations, and the risk such families take in divulging the conditions of their living situation to those outside the family. It is the policy of this Department that the confidentiality of these families must be safeguarded, and, at the same time, information regarding the educational rights of these children must be conveyed to families living under these conditions.

Therefore, it is the intention of the Department to employ various dissemination modes to ensure these families are aware of the educational rights of their children under the McKinney Act and Department policies. Concurrently, the Department will make efforts to inform school personnel of the rights of this population, and train them to look for signs of homelessness and ways to help children who are living in a doubled-up situation.

L. Guidelines for Distribution of Federal Funds

12.1 Federal Law (McKinney Act)

(*Note: the following excerpts were taken from the McKinney Homeless Assistance Act. Only pertinent sections are used; therefore, the lettering and numbering of the sections may not be consecutive.)

Grants under this section shall be used -

. . .(6) if amounts appropriated for the applicable fiscal year exceed the amount appropriated for fiscal year 1990 under this section, to provide grants to local educational agencies for the purposes of this section, and if such amounts appropriated do not exceed the amount appropriated for fiscal year 1991, the State education agency, at the discretion of such agency, may provide such grants.

[42 U.S.C. 11421 sec 722 (c) (6)]

(e) STATE PLAN -

(7) Each local education agency serving homeless children or youth that receives assistance under this title shall coordinate with local social service agencies, and other agencies or programs providing services to such children or youth and their families.

(8) Each local education agency that receives assistance under this title shall designate a homeless liaison to ensure that -

(A) homeless children and youth enroll and succeed in the schools of that agency; and

(B) homeless families, children and youth receive educational services for which they are eligible, and referrals to health care services, dental services, mental health services, and other appropriate services. State coordinators and local educational liaisons shall inform school personnel, service providers and advocates working with homeless families of the duties of the liaisons.

[42 U.S.C. 11421 (e) (7) & (8) (A) & (B)]

Note: Specific statutory language governing the award of such grants is set out in Appendix D.

12.2 Policy of the Massachusetts Department of Education

In accordance with the statutory requirements contained in Appendix D, the Office for the Education of Homeless Children and Youth will provide grants to Local Education Agencies (LEAs), when such funds become available, in the following manner:

(a) for any year in which there is an **increase** in funds (including discretionary and/or entitlement grant money), in relation to the previous year, available for distribution to LEAs, all LEAs in the state will be eligible to apply for this money through a Request for Proposal (RFP) process. LEAs which receive funds in this manner will be given priority status for two years, and will receive continued funding contingent upon a positive evaluation/review of the project and continued need (i.e., homeless children are still served by that district);
(b) for any year in which there is **level funding or a decrease** in such funds in relation to the previous year, only those LEAs which received a grant in the previous year will be eligible to submit an RFP for the present year. If a majority of these LEAs either opt to not reapply for the grant, or receive a negative evaluation/review or are found to no longer have a need for these funds, the amount of money which would be awarded to them will be made available to all other LEAs through an RFP process. If the funding level remains at or below the previous year for two years, in the third year of this cycle (1st year = year of initial grants) the grant money will be made available to all LEAs through the RFP process;
(c) any LEA applying for this grant must make provisions to ensure all homeless children attending school in that district will receive transportation to/from school
(d) any LEA applying for this grant, must list all of the shelters (family, battered women, and adolescent) within their district, (and any outside the district if the district serves children/youth from such shelters), all the motels/hotels being used as temporary residences of homeless families, and describe how the district is ensuring children residing in such facilities are enrolling, remaining and succeeding in school;
(e) if any LEA applying for this grant claims to have a large number of doubled-up homeless families, information must be given to substantiate this claim, and a description must be given of how the children living in these situations will enroll, remain and succeed in school;
(f) all conditions noted in Sec. 723 of the McKinney Homeless Assistance Act, as amended November 1990 (see Appendix D) must be met by school districts applying for such a grant.

III

OBJECTIVES AND ACTIVITIES OF THE MASSACHUSETTS DEPARTMENT OF EDUCATION CONCERNING THE EDUCATION OF HOMELESS CHILDREN AND YOUTH

The overall **goal** of the Massachusetts Department of Education in serving homeless children is to ensure they receive appropriate educational services in a manner which will support their success in school. This includes providing these youngsters with adequate transportation, minimal delay in transferring from one school to another, full assimilation into the mainstream school environment, no stigmatization from peers or others in their school community, protection of their confidentiality and that of their families, and access to the full range of supports their community can offer.

The following objectives and related activities are set out to guide the Department in its effort to achieve this goal. Each objective listed below complements the corresponding section (A - L) delineated in the previous portion of this plan (*Federal Laws and Massachusetts Laws and Policies Regarding the Education of Homeless Children and Youth*).

(*Note: Sections C, E, F, H, and L of the *Federal Laws and Massachusetts Laws and Policies Regarding the Education of Homeless Children and Youth* do not have objectives and activities as these sections are specifically policy-related.)

A. General Educational Services

Objective #1:

A process will be established through which staff of federal, state and local school food programs will be made aware of the McKinney Act requirements regarding homeless children and encouraged to monitor their programs to ensure compliance with the federal statute.

Activities:

1) The Director of the Department's Office for the Education of Homeless Children and Youth (OEHCY) will give a presentation to the staff of the Department's Bureau of Nutrition regarding the McKinney Act requirements.

2) The Bureau of Nutrition staff members who monitor such food programs will discuss the McKinney Act requirements with the local school food program providers and other child care food program participants.

3) Guidelines for access of these food programs will be developed by the Massachusetts Department of Education. The guidelines established by the New Hampshire Dept of Education will be reviewed for possible replication. (See Appendix E.)

4) Contact will be made with local Women, Infant and Children (WIC) programs and food stamp distributors to ensure they are familiar with the requirements of the McKinney Act regarding food programs.

Objective #2:

A process will be established through which personnel who oversee federal, state and local before-and after-school care programs will be made aware of the McKinney Act requirements regarding homeless children, and encouraged to monitor their programs to ensure compliance with the federal statute.

Activities:

1) The Director of OEHCY will collaborate with the Office for Children, Department of Social Services, Housing Assistance Corporation (Cape Cod) and other pertinent agencies to determine a mechanism for disseminating the McKinney Act requirements and collecting the needed data.
2) Once a mechanism is developed the collaborating group will put it into operation to ensure adequate dissemination.

B. Transportation for Homeless Children

Objective:

A system will be established to provide transportation to/from school for homeless children who, by choosing to remain in their original school, are living outside the attendance zone or district boundaries of that school.

Activities:

1) Continue efforts to collaborate with the Department of Public Welfare (Welfare) to develop a system by which school districts can be reimbursed for transportation of homeless children to/from school across district lines through Emergency Assistance (EA) funds.
2) Disseminate a brochure describing the way in which such EA funds can be accessed by school districts.
3) Disseminate information to all school superintendents delineating the McKinney act requirement that they address the issue of transportation of homeless students. Suggest ways in which they could address this barrier in their community. Include:

* making use of public transportation;
* utilizing buses, vans and taxis used for Special Education purposes;
* renegotiating contracts with their transportation vendors to include occasional off-route pickups of homeless children;
* dividing the cost of a homeless child's education with the child's district of temporary residence (i.e., the educating district continues to pay for the education costs, while the district of residence pays the transportation costs);
* reviewing all community resources in an attempt to provide this transportation.

D. Chapter 1 Services for Adolescents in Shelter Care and Children Living in Shelters for Battered Women

Objective:

All adolescent and battered women shelters in the state will be informed of the Chapter 1 services for which they may be eligible, and encouraged to participate in such services.

Activities:

1) As this is the first year battered women shelters will be eligible to apply for these services, a notice will be sent to these shelters in May 1991, describing the services, how they may be eligible, and the application process.

2) The annual 1/2-day workshop for staff from adolescent and battered women shelters will be held in early September. This workshop will provide these staff with information about Chapter 1 and ways to access Chapter 1 services for the children/youth in their shelters.

G. Inservice Workshops for School Personnel/Curricula for Students

Objective #1:

OEHCY will make available to all schools in the state the opportunity to have an inservice workshop on homelessness presented in their school or for the larger district.

Activities:

1) A brochure (which was developed during January 1991) describing the "Travelling Inservice Team" will be sent to all schools in Massachusetts. This brochure details how a team of professionals who work with homeless families will come to a school upon request and give a presentation on homelessness to the staff. The presentations are tailored to the needs and concerns of each school. (See Appendix F for a copy of the brochure.) Inservice workshops will continue to be held in the schools on an as-requested basis.

2) A video (30 minutes long) about working with homeless children (Dr. Susan Craig - presenter, edited by Springfield Public Schools) will be available as an alternative to or in conjunction with the in-school workshop.

3) The OEHCY will explore the possibility of forming an affiliation with a college or university so that Continuing Education Credits (CEUs) could be given to those school personnel who attend the Department's inservice training on homelessness.

Objective #2:

OEHCY will make available to all Massachusetts school districts a video and curriculum on homelessness for high school students, and a curriculum on homelessness for elementary and middle school students.

Activities:

1) OEHCY will complete the production of its video and curriculum on homelessness for high school students and inform all superintendents and/or curriculum coordinators that each school district can receive a free copy of the video and curriculum. (An additional 100 will be reserved for dissemination outside the state.)

2) All superintendents and/or curriculum coordinators will be sent a notice of the curricula about homelessness (for grades K - 8) which are available through the Department.

I. Development, Review and Revision of Policies, Regulations and Practices

Objective:

School districts, shelters providers, advocacy groups, and pertinent state agencies will be involved in a process to review and revise those policies, regulations and practices which may prove to be a barrier to the enrollment, retention and success in school of homeless children. OEHCY will facilitate the process by which this review takes place.

Activities:

1) Explore the "School Team" model used by the Maine Department of Education to establish community-based case management systems for assuring access to education for homeless children and youth.
2) Develop a "peer review" system which can be implemented at the local level. Review the "Campus Self-Assessment Guide for the Education of Homeless Students" implemented by the Texas Dept of Education for possible adaptation.
3) Put the peer review system into operation around the state.
4) Discuss the idea of including homeless children under a wider group of "children in crisis" in school districts.

J. Interagency Collaboration/Dissemination of Information

Objective #1:

Pertinent information from the OEHCY and the Advisory Committee will be disseminated through a variety of channels to ensure such information reaches key members at the community level.

Activities:

1) A mailing list will be established by OEHCY which includes all shelters, pertinent state agency personnel, advocacy groups, Head Start programs, school professionals associations, Parent-Teacher-Student Organizations, child-care service providers, etc.
2) A liaison will be established with each of the agencies on the mailing list.
3) The mailing list and liaisons' list will serve as the major avenues for dissemination of information regarding education of homeless children and youth.
4) A "Directory of Services", which contains contact persons for each school district, shelter, local Welfare and DSS offices and pertinent community agencies in the Commonwealth, will be created and distributed.
5) The brochure for homeless parents entitled "Keeping Your Children in School" will be revised as needed on an annual basis.

Objective #2:

Comments, concerns and questions of school personnel and shelter providers regarding services for homeless children will be obtained and addressed.

Activities:

1) An annual workshop will be held for shelter providers during which information on the Department of Education's policies and regulations and regulations of the McKinney Act can be delineated and discussed.
2) A "Questions and Answers" booklet, which contains questions and concerns relating to homeless children elicited from school personnel, will be developed and disseminated.

K. Homeless Families Living in Doubled-up Situations

Objective:

Homeless families living in a doubled-up situation will be informed of the educational rights of their children under the McKinney Act and the Massachusetts Department of Education policies.

Activities:

1) The dissemination model used by the Shriver Center (Vietnam Veterans Family Services Project) will be explored and tailored to devise a mechanism for disseminating information to doubled-up families.

2) Information will be obtained from previously doubled-up families living in shelters regarding the community services they accessed while living doubled-up. Comments received from these families will be used in the formation of a dissemination mechanism.

3) Appropriate dissemination materials (e.g., brochures, posters) will be developed and distributed as determined.

IV

APPENDICES

APPENDIX A

List of Accomplished Objectives and Activities from May 1990 to May 1991

Progress was made by the Massachusetts Department of Education (DOE) toward fulfilling eight of the nine objectives listed in the May 1990 State Plan. Of the four objectives focused on providing direct services to homeless children and youth (i.e., transportation between districts, transportation within a district, in-house educational services, after-school tutorial services), three were accomplished for at least some of the homeless students in the state. Of the five objectives focused on providing inservice trainings for school staff, shelter personnel, and homeless parents, and interagency collaboration, four were completed. No progress was made on the objective regarding holding informational meetings for homeless parents.

Of the 23 activities proposed to be carried out from May 1990 to May 1991, 14 were completed, five were partially completed, and four were not achieved. Specific activities which were carried out (completely or to some degree) over the time period of May 1990 to May 1991 include:

Transportation:

- attempting to provide $50,000 through DOE's transportation budget to reimburse cities and towns which transport homeless children across district lines; (*This was taken out of DOE's budget by the Legislature in the budget process.*)
- collaborating with the Department of Public Welfare (Welfare) to develop a system by which school districts can be reimbursed for transportation of homeless children to/from school across district lines through Emergency Assistance (EA) funds; (*This system of reimbursement was tested in one school district and found to be cumbersome. Further progress in this area was deterred by Welfare's amendment of the EA regulations.)*
- working with the National Association of State Coordinators for the Education of Homeless Children and Youth (NASCEHCY) to incorporate language in the federal McKinney Act amendments of 1990 which would allow for the expenditure of these funds for direct services, including transportation; (*This was accomplished as the amendments of November 1990 did include language which allows local education agencies to use McKinney funds for direct services including transportation.)*
- setting up meetings between school personnel, shelter providers, state agency personnel and staff from community groups to discuss the transportation issue on the local level and formulate a response to the transportation needs of homeless students; (*This was undertaken on Cape Cod and in Boston, with successful results in both places.*)

Tutorial Services:

- informing adolescent shelters of educational services available through Chapter 1. (*A meeting was held in September 1990 for adolescent shelter providers. The number of adolescent shelters which applied for these funds doubled from 7 in 1989 to 14 in 1990.)*
- continuing to seek funding for the existing adolescent shelter tutorial programs;

(*The three existing adolescent shelters will be able to continue for the 1991-92 school year with funding from DOE's grant.*)

- continuing to provide grants to school districts to develop and implement tutorial programs for homeless children; (*the existing programs which receive a positive evaluation and show a continued need will be funded, either at or below last year's level, for the 1991-92 school year.*)
- evaluating the school-based tutorial programs and modifying as needed; (*The school projects have all had one on-site visit by an outside evaluator and will receive a follow-up phone call to monitor process before June 1991. The evaluation report will be used to suggest modifications for the 1991-92 school year.*)
- developing a shelter-based tutor volunteer network in the Boston area; (*DOE is presently collaborating with The Horizons Fund to establish a network of trained volunteers to work with preschool children living in family shelters in Boston.*)

Inservice Trainings:

- holding regional inservice workshops to bring school personnel together with shelter providers and social service providers; (*Workshops were held for the following regions on the dates indicated: Cape Cod, October 17, South Shore, November 29, Greater Boston, December 6.*)
- organizing "inservice teams" consisting of personnel from Welfare, Department of Social Services (DSS), Mental Health and Public Health, and shelter providers to go into schools which request an inservice on the issue of homeless children; (*This team was organized and inservices were held at the following locations on the dates noted: Rockport Public Schools, Jan 9, 1991, Paul Revere Elementary School, January 15, 1991, Boston Public Schools - Student Support Services Personnel, February 8, 1991.*)
- organizing a meeting of the administrative personnel from the Boston Public Schools (BPS) and local shelter providers to discuss pertinent issues; (*Two meetings of this type were held: one brought personnel from family and battered women's shelters together with staff from BPS, and the other brought adolescent shelter providers together with staff from BPS.*)
- organizing an inservice meeting for family, battered women and adolescent shelters to give them information regarding the educational rights of homeless children, DOE's policies and state regulations relating to special education, Chapter 1, student records, transportation and other pertinent educational issues; (*This is scheduled to take place on May 14, 1991.*)
- revising the brochure "Keeping Your Children in School"; (*This was completed in June 1990.*)

Interagency Collaboration:

- creating and disseminating a "Directory of Services" which contains contact persons for each school district, shelter, local Welfare and DSS offices, and pertinent community agencies; (*A "Cape Cod Directory of Services" was created and disseminated to schools, shelters and community agencies on the Cape.*)
- continuing with Adolescent Task Force to address issues pertinent to the education of adolescents in shelter care; (*A roundtable discussion involving adolescent shelter staff and the Commissioner of Education was held on August 4, 1990. Strategies for future action regarding the pertinent issues were established.*)
- representing DOE at the monthly meetings of the Coalition of Adolescent

Emergency Services;
•organizing annual or semi-annual meetings with school personnel involved with homeless children; (*At the present time DOE is collaborating with the Shriver Center to hold informal, roundtable discussions between shelter providers and school personnel from the Greater Boston area.*)

Activities not carried out include:

Transportation:
•continuing to pursue state legislation for the reimbursement of cities and towns which provide between-district transportation for homeless children;
•disseminating a brochure describing the way in which school districts can access EA funds for between-district transportation;

Inservice Trainings:
•disseminating a brochure to shelters, Welfare, DSS and other agencies involved with homeless families, which describes the inservice program for homeless parents. Ask these agencies to pass this information onto the parents and, if possible, provide space for such an inservice to take place;

Interagency Collaboration:
•explore existing collaborations between schools, shelters and social service agencies. Disseminate this information to other schools, shelters and social service agencies.

COMPLAINT MANAGEMENT SYSTEM CONTACTS

UNIT	PHONE COMPLAINTS TO: (AREA CODE 617)	
Special Education (3rd Floor)	Terry Hamilton NORTH TEAM	770-7490
	Joanne Laubach SOUTH TEAM	770-7482
Occupational Education (3rd Floor)	Ann Marie McDonald	770-7351
School Programs (3rd Floor)	Rosalie Buchaichio Carol Capistrant	770-7582
Educational Personnel (2nd Floor)	Dennis DiCarlo	770-7627
Adult Education (3rd Floor)	Fay Johnson	770-7564
Boston/Chelsea Team* (1st Floor)	Juan Tapia Sandra Fjeld	770-7530
Department of Education (4th Floor)	Kathy Lynch	770-7200

*All Boston/Chelsea Special Education complaints should be registered directly with the Division of Special Education.

FAX NUMBERS

1st Floor	770-7494	Switchboard
2nd Floor	770-7604	Reception Area
2nd Floor	770-7259	Nutrition
3rd Floor	770-7605	Special Education
4th Floor	770-7332	Business Office
4th Floor	770-7413	Legal Office

V/TDD NUMBERS (for hearing impaired)

1st Floor	770-7500	Switchboard
2nd Floor	770-7446	School Programs
3rd Floor	770-7468	Special Education

COMPLAINT MANAGEMENT SYSTEM

"Working Together to Resolve Educational Problems"

THE COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF EDUCATION
1385 HANCOCK STREET
QUINCY, MA 02169

July, 1991

Introduction:

The Massachusetts Department of Education helps people to understand and benefit from the educational opportunities and rights provided for all students in the state. The Department deals with public elementary and secondary schools, as well as vocational education programs, day and residential special education programs, some early childhood education programs and adult basic education programs. Department staff welcome your questions and concerns about these programs, and will work to resolve problems so that students may receive the educational services to which they are legally entitled.

What is the Department of Education's Complaint Management System?

The Complaint Management System is the Department's process for taking, reviewing and resolving complaints regarding a student not receiving educational services or procedural protections that by law are supposed to be provided.

What is a complaint?

If you call or write to the Department stating that you believe a school (or other education program listed above) is not doing what it should under the education laws, or that the legal rights of a student are not being met, the Department calls your inquiry a "complaint."

Who may file a complaint?

Any concerned person has the right to file a complaint with the Department. Most complaints come from parents, students, teachers and individuals or organizations acting on their behalf.

If I have a complaint, what should I do?

The Department recommends that, if possible, you first contact the school or school district (for example, the principal or superintendent of schools) to present your concern to the people closest to the situation and most likely to be able to resolve it quickly. If that does not work, or does not seem possible under the circumstances, you may call or write to the Department of Education and state your concern.

What happens next?

A Department employee called an Educational Specialist will contact you within five (5) business days to talk to you about the issue. If your concern is found to be a complaint, and is not quickly resolved, you will be sent a letter within seven (7) business days giving you the number of the complaint and the name of the Educational Specialist who will handle it. If your concern is not a complaint (for example, it is simply a request for information, or if it involves a school or program such as a college, that is outside the Department's responsibility), the Department will provide you with the necessary information.

Will the Department help me if I don't want to give my name?

Yes, to the best of our ability. Sometimes it is not possible to resolve a complaint successfully if the student, or the person who filed the complaint, cannot be identified to the school. You may want to talk with the Educational Specialist about this if you are concerned about it.

How does the Department follow up on my complaint?

The Educational Specialist will carefully review your concerns with you and the appropriate school officials to determine whether the education laws and regulations are being followed. If the school system is not meeting the requirements of the law, the Department will work with the officials to correct the problem. Most problems must be resolved within sixty (60) calendar days of the receipt of your complaint. In cases where this is not possible, the Educational Specialist will send you a letter explaining the reason.

How will I know how my complaint has been resolved?

For complaints that have not been resolved within seven (7) business days, the Educational Specialist will send you a letter explaining the results of the review of your complaint and the actions that have been taken to resolve the problem. If your concern is found not to be a complaint, the reason will be explained in the letter.

If I disagree with the Department's decision on my complaint, what can I do?

Within fourteen (14) calendar days of the date of the letter, you may ask (in writing) the Associate Commissioner of the Division in which the complaint was processed, (or, for Boston/Chelsea school complaints, the Director of the Boston/Chelsea Team) to review the matter. This manager will review written materials relating to your complaint and send you a decision letter within thirty (30) calendar days. For complaints involving certain federally-funded programs, you may ask the U. S. Secretary of Education to review the Department's decision.

Conclusion:

The Massachusetts Department of Education is pleased to be able to help people needing assistance and information about programs in public elementary and secondary schools, vocational education programs, day and residential special education programs, early childhood education programs and adult basic education programs.

Laws and regulations exist to protect the rights of all students in Massachusetts and to ensure that all students receive equal educational opportunities. If you believe that a student is not receiving the programs or services that the law requires, or you simply want information about public education, please contact your local school system and the Massachusetts Department of Education.

APPENDIX C

Massachusetts 1990 Report on Homeless Children in the Commonwealth

HOMELESS CHILDREN IN MASSACHUSETTS 1990

Statistical Information Compiled by the Massachusetts Department of Education

The following report of statistical information relating to homeless children in Massachusetts is divided into two sections. The information presented in the first four pages was obtained from two sources: 1) responses to surveys sent by the Department of Education to all family, adolescent and battered women's shelters in Massachusetts in October 1990 and, 2) data received from the Department of Public Welfare in October 1990 for all family shelters and hotels/motels under contract to provide shelter to homeless families. The information presented in pages 5 and 6 was collected from the "1989-90 End-of -the -Year Report" completed by all school districts in the state.

This information is not meant to be a complete report on the status of homeless children in Massachusetts but is meant to give a synopsis of the statistics for both a one-day and year-long period of time in 1990.

Additional copies of this statistical report can be obtained from Michelle Linehan at the Massachusetts Department of Education. (617) 770-7493

Data on Homeless Children in Massachusetts

1990

The following data was gathered from surveys sent to all battered women's, adolescent and family shelters in Massachusetts. Additional statistics were obtained from the Massachusetts Department of Public Welfare on numbers of children living in family shelters and hotels/motels. Comparison statistics from 1989 are shown in italics.

Number of Surveys Sent: 129
Responses Received: 58 (45%)
Number of Shelters for Which Basic Statistics Were Obtained:
(through Dept of Public Welfare and Surveys Combined) 94 (73%)

Number of Homeless Children (Birth to Eighteen Years Old) on One Day in October, 1990 in Massachusetts: 3485*
(Number of Homeless Children (Birth to Eighteen Years Old) on One Day in October, 1989: 2560)*

Number of Homeless Children (Birth to Eighteen Years Old) During 1990 in Massachusetts: 12,846*
(Number of Homeless Children (Birth to Eighteen Years Old) During 1989 in Massachusetts: 12, 036)*

***Includes children known to be living in "doubled-up" homeless situations.**

The number of children living in doubled-up homeless situations was calculated in the following manner:

-families living in Welfare motels and shelters on one day in October 1990 = 541

-percentage of these families entering the shelter system from doubled-up situation = 66%

-66% x 541 = 357 families

-each family has an average of 2 children; 357 x 2 = 714 children

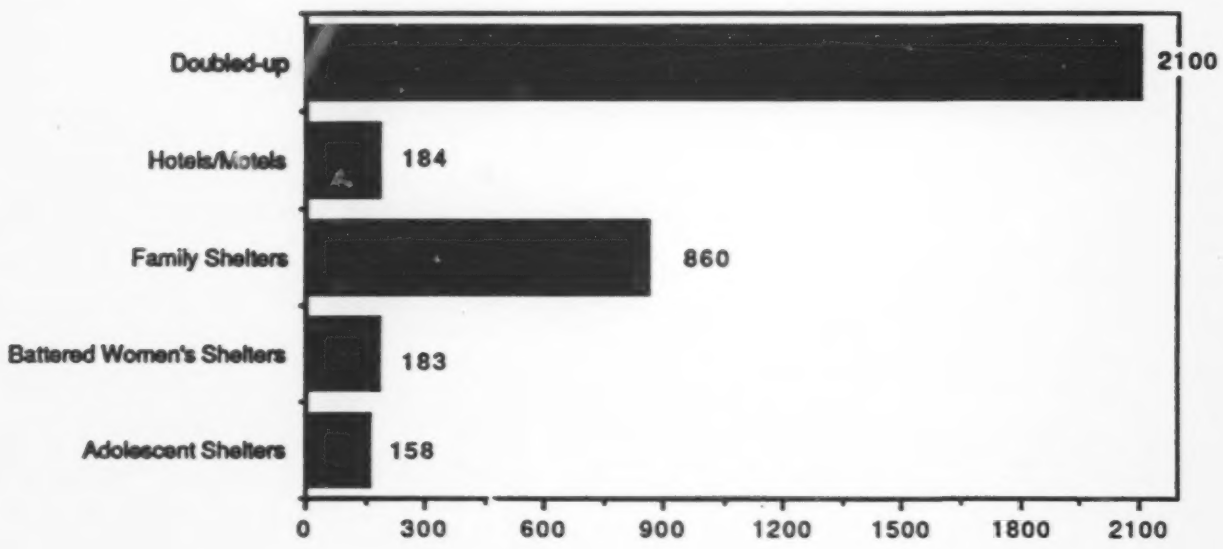
-In addition, in October there were 700 families living doubled-up and on Welfare's prevention list for families at high risk of becoming homeless. There are an estimated 1400 children in these families.

-Total number of doubled-up homeless children in October 1990 = 714 + 1400 = **2100**

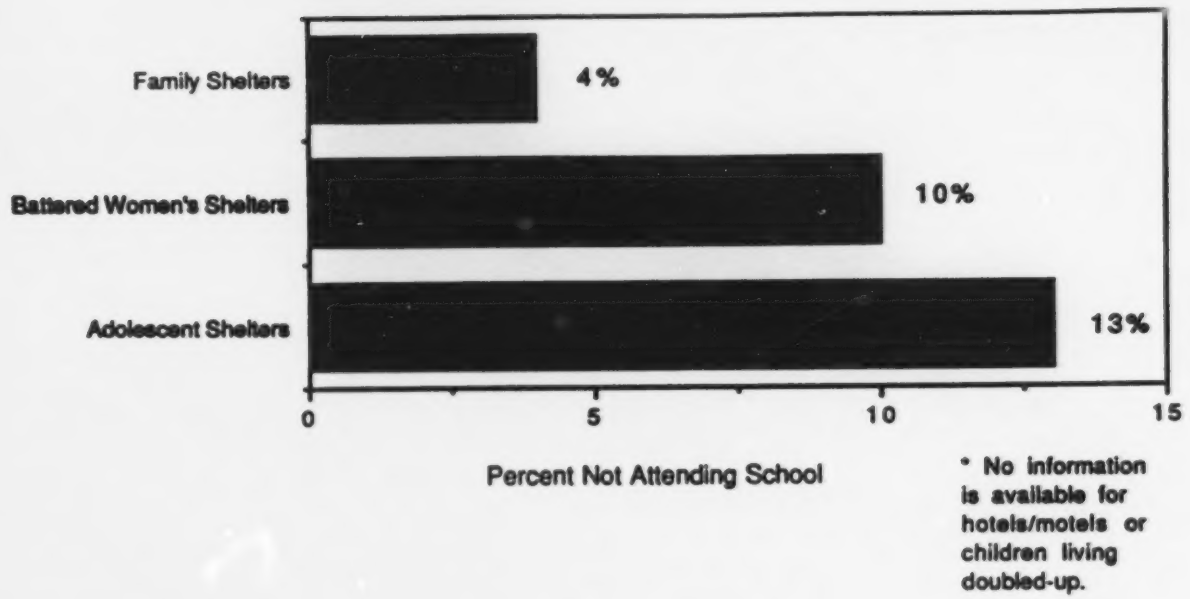
-Total number of doubled-up homeless children during 1990: 2100 x 3.25 (average length in shelter is 16 weeks) = 6825

Ages of Homeless Children in Massachusetts - 1990

Location of Homeless Children in Massachusetts - One Day in October 1990



Percentage of Homeless Students Not Attending School - by Location *



* No information is available for hotels/motels or children living doubled-up.

REASONS HOMELESS CHILDREN DID NOT ATTEND SCHOOL 1990 SURVEY

On the survey sent to all family, battered women, and adolescent shelters in Massachusetts the following were listed as reasons homeless children might not be attending school:

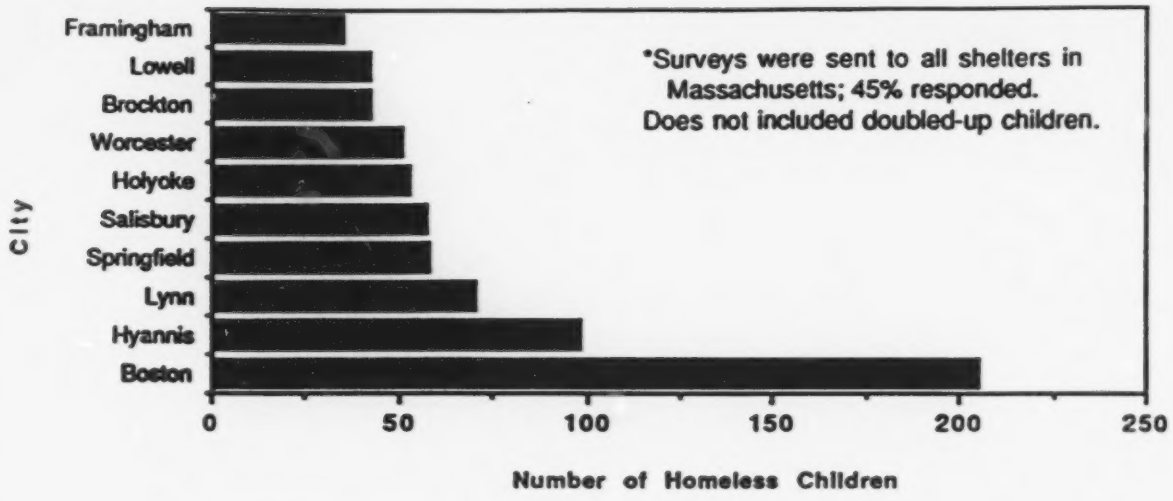
* child/youth has been sick
* no transportation to/from school
* parent's decision for child/youth not to attend school
* waiting for school records
* child not immunized or is not screened for lead poisoning
* child/youth suspended
* other

Of these reasons, shelter providers most frequently named "other" as the reasons children/youth were not attending school. Some of the specific reasons listed under "other" include:

- youth held on bail;
- shelter has in-house tutor;
- living situation has been erratic;
- waiting to move to another community.

The second most common reason homeless children/youth were not attending school was lack of transportation.

Communities with Greatest Number of Homeless Children (ages 0 -18) for One Day in October 1990 (from Welfare statistics and survey data*)



Other Communities Housing Homeless Children and Youth (in alphabetical order)

One-day Count (October 1990)

Amherst	7	Hull	4	Plainville	7
Athol	12	Kingston	5	Provincetown	2
Attleboro	7	Lexington	1	Revere	16
Brookline	15	Malden	14	Salem	22
Cambridge	34	Marshfield	27	Somerville	20
Chatham	4	Mattapoisett	1	Stoneham	10
Centerville	9	Medford	5	Quincy	7
Dennisport	17	Milford	2	Vineyard Haven	5
Falmouth	12	Nantucket	1	Waltham	10
Fitchburg	4	New Bedford	10	Wellesley	1
Gardner	3	Newton	6	W. Bridgewater	12
Greenfield	2	Northampton	5	Weymouth	9
Gloucester	16	Norwell	4	Woburn	1
Halifax	12	Norwood	4	Waquoit	17
Haverhill	11	Peabody	10		
Hingham	24	Pittsfield	8		

Fact Sheet on Homeless Children in Massachusetts' Schools

(Taken from reports by school districts for the 1989-90 school year.)

(Notations in italics represent the data reported by school districts for the 1988-89 school year.)

Number of School Districts Reporting Having Homeless Children During the 1989-90 School Year = 41 (11% of all districts)
(1988-89: 70 districts representing 24% reported serving homeless children)

Total Number of Homeless Children Served by School Districts During the 1989-90 School Year = 1149
(1988-89: 1245 homeless children)

Number of Homeless Children In Special Education Programs = 241 (21% of all reported homeless students)
(1988-89: 175 or 14% special needs)

Number of Homeless Children in Bilingual Education Programs = 139 (12% of all reported homeless students)
(1988-89: 91 or 7% bilingual)

Number of Homeless Students Receiving Transportation to Another School District = 43 (26 of the 43 were transported using public transportation)

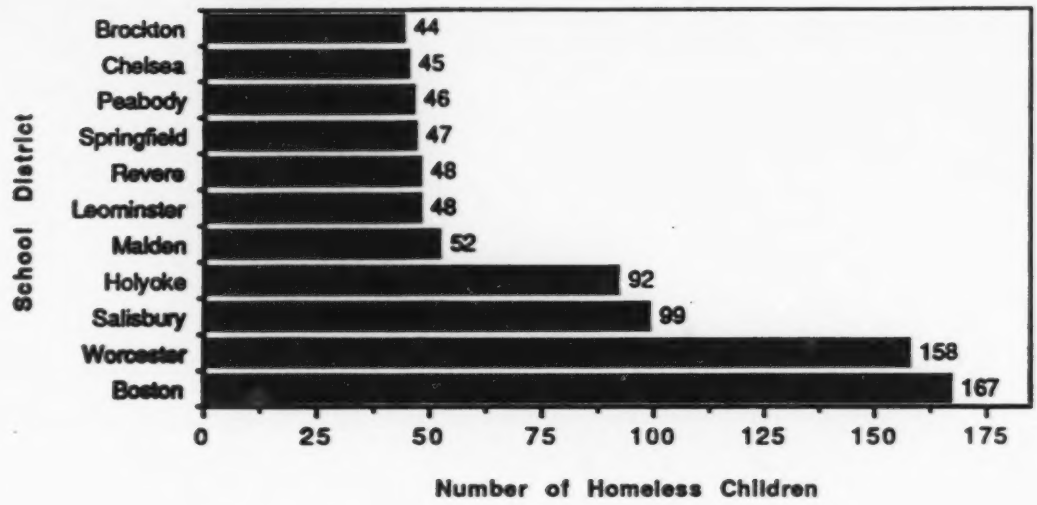
Number of Homeless Students Who Missed School Due to Homelessness = 94 (8%)
(1988-89: schools reported only 4 homeless children who missed school)

Number of Homeless Students Who Moved Into a District Directly From Out of State = 102 (9%)
(1988-89: 54 or 4% moved in directly from out of state)

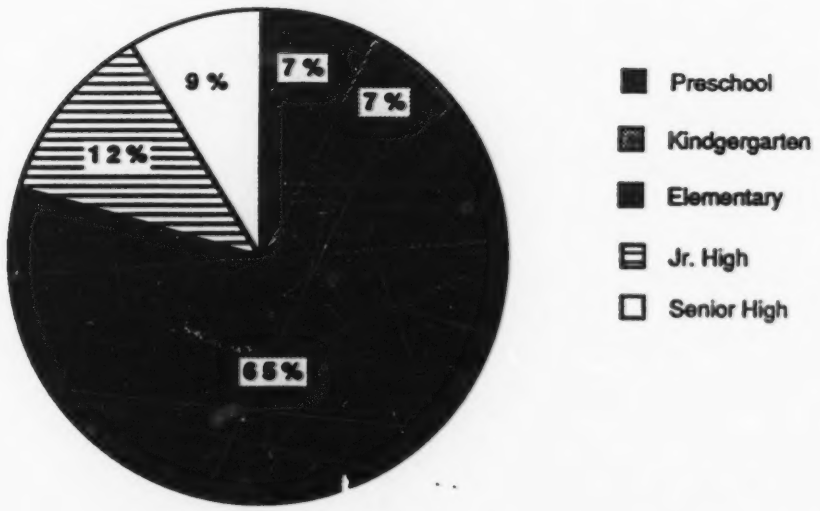
Total School District Expenditures for Transporting Homeless Children Across District Lines = $18,299 (Only 2 Barnstable and Pittsfield reported any such expenditures.)
(1988-89: total transportation expenditures equaled $29,633)

Total Homeless Students Who Attended School in a Different District Than the One In Which They Were Living = 59 (5%)

School Districts Reporting Greatest Number of Homeless Children 1989-90 School Year



Percentage of Homeless Students by Age 1989-90 School Year (as reported by school districts)



APPENDIX D

Federal Regulations Regarding Distribution of McKinney Funds to Local Education Agencies

SEC. 723. LOCAL EDUCATIONAL AGENCY GRANTS FOR THE EDUCATION OF HOMELESS CHILDREN AND YOUTH

(a) GENERAL AUTHORITY -

(1) GRANTEES AND PURPOSE OF GRANTS -
The State educational agency shall, in accordance with section 722(c)(6) and from amounts made available to such agency under section 722, make grants to local educational agencies for the purpose of facilitating enrollment, attendance and success of homeless children and youths in schools.

(2) USE OF GRANTS - Unless otherwise specified, services under paragraph (1) may be provided through programs on school grounds or at other nonsectarian facilities. Where services are provided through programs on school ground, such services may also be made available to children or youths who are determined by the local educational agency to be at risk of failing in or dropping out of schools, except that priority for such services shall be given to homeless children and homeless youths. To the maximum extent practicable, services shall be provided through existing programs and mechanisms that integrate homeless individuals with nonhomeless individuals.

(3) REGULAR ACADEMIC PROGRAM - Services provided under this section are not intended to replace the regular academic program.

(b) AUTHORIZED ACTIVITIES -

(1) PRIMARY ACTIVITIES - Not less than 50 percent of amounts provided under a grant under this section, shall be used to provide tutoring, remedial education services, or other education services to homeless children or homeless youths.

(2) RELATED ACTIVITIES - Not less than 35, nor more than 50, percent of the amounts provided under a grant under this section may be used for activities that may include -

(A) the provision of expedited evaluations of the strengths and needs of homeless children and homeless youths, including needs and eligibility for programs and services (including gifted and talented programs, special education programs, programs for students with limited English proficiency, and remedial services);

(B) professional development for educators and other school personnel that is designed to develop awareness and sensitivity to the needs of homeless children and homeless youths and the rights of such children and youths under this Act;

(C) the provision of referral services to homeless children and homeless youths for medical, dental, mental, and other health services;

(D) the provision of assistance to defray the excess cost of transportation for students not provided under section 722(e)(5) and not otherwise provided through Federal,.State, or local funding,

where necessary to enable student to attend the school selected under 722(e)(3);
(E) the provision of developmentally appropriated early childhood programs for preschool age children;
(F) the provision of before- and after-school and summer programs for homeless children or homeless youths in which a teacher or other qualified individual provides tutoring, homework assistance, and supervision of educational activities;
(G) where necessary, the payment of fees and other costs associated with tracking, obtaining and transferring records necessary to enroll homeless children or homeless youths in school, including birth certificates, immunization records, academic records, guardianship records, and evaluations for special programs or services.
(H) the provision of parent education and training to the parents of homeless children and homeless youths about the rights of and resources available to such children and youths;
(I) the development of coordination between schools and agencies providing services to homeless children and homeless youths;
(J) the provision of counseling, social work, and psychological services, including violence counseling, and referrals for such services;
(K) activities to address the particular needs of homeless children and homeless youths that may arise from domestic violence;
(L) activities to develop and implement programs for school personnel to heighten the awareness of such personnel of the specific educational needs of runaway and homeless youths;
(M) the adaptation of space and the purchase of supplies for non-school facilities made available under subsection (a)(2) to provide services under this subsection;
(N) the provision of school supplies to be distributed at the shelter or temporary housing facilities; and
(O) the provision of such extraordinary or emergency assistance determined by the Secretary as essential to enable homeless children and homeless youth to attend school.

(3) ELIGIBILITY - No State or local educational agency may receive a grant under this section unless the State in which the agency is located has submitted a State plan as required by section 722(c).

(c) AWARDS

(1) BASIS - Except as provided in section 722(g)(3)(B), from amounts appropriated for each fiscal year under section 722(g), the State educational agency may award grants under this section to local educational agencies submitting an application under subsection (d) on the basis of the need of such agencies.
(2) DETERMINATION - In determining need under paragraph (1), the State educational agency may consider the number of homeless children and homeless youth enrolled in preschool, elementary and secondary schools within the area served by the agency, and shall consider the needs of such children and youth, and the ability of the agency to meet such needs. Such agency may also consider -

(A) the extent to which the proposed use of funds would facilitate the enrollment, retention and educational success of homeless

children and homeless youth;
(B) the extent to which the application reflects coordination with other local and State agencies that serve homeless children and youth, as well as as the State plan required by section 722(e);
(C) the extent to which the applicant exhibits in the application and in current practice a commitment to education for all homeless children and youth in its jurisdiction; and
(D) other criteria as the agency determines appropriate.

(d) APPLICATION -

(1) IN GENERAL - A local educational agency that desires to receive a grant under this section shall submit an application to the State educational agency at such time, in such manner, and containing or accompanied by such information as the State agency may reasonably require according to guidelines issued by the Secretary. Each such application shall include -

(A) a description of the services and programs for which assistance is sought and the problems sought to be addressed through the provision of such services and programs;
(B) assurances that the applicant complies with or will use requested funds to come into compliance with paragraphs (3) through (9) of section 722 (e);
(C) an assurance that assistance under the grant will supplement and not supplant funds used before the award of the grant for purposes of providing services to homeless children and homeless youths; and
(D) a description of policies and procedures that the agency will implement to ensure that activities carried out by the agency will not isolate or stigmatize homeless children.

(3) (sic) TERM OF AWARDS - Grants awarded under this section shall be for terms of not to exceed 2 years.

APPENDIX E

New Hampshire Guidelines, School Meal Programs for Homeless Students

The New Hampshire Department of Education is in the process of developing a Plan of Action for the Education of Homeless Children and Youth. A portion of the Plan addresses providing school meal programs for homeless students. Providers must make this service available to them.

The following guidelines must be followed:

1. Lack of an address for the homeless student or his/her parent must not prevent the student from receiving the service.

2. Lack of a parent to make application for the school meal programs must not prevent the homeless student from receiving the service.

3. A guardian's request for the service on behalf of the student must be honored.

4. If no other adult is available, the local school official must complete an application on behalf of the homeless student.

5. A homeless student living alone is considered a "household of one" for the purpose of receiving the school meal program.

Appendix F

Inservice Request Form for Schools

TO BE HELD IN YOUR SCHOOL OR DISTRICT:

INSERVICE WORKSHOP ON HOMELESS CHILDREN AND FAMILIES

a collaborative effort of the Massachusetts Departments of Education, Public Welfare, Social Services, Public Health, and family, battered women and adolescent shelters

Representatives of the agencies listed above have formed "travelling inservice teams" around the Commonwealth to visit schools to provide information on various issues relating to homelessness. These include:

- *** conditions of homelessness (What is shelter-life like for children and adolescents?)**
- *** effects on children and families (How are children in your classroom affected by living in a shelter or motel?)**
- *** state and federal laws and policies regarding services for homeless families (What is the McKinney Homeless Assistance Act and what impact does it have on the education of homeless children?)**
- *** ways school personnel can support children during this time of transition (What specific strategies can teachers, counselors and administrators implement to overcome barriers homeless children face as they attempt to stay and succeed in school?)**
- *** roles various state agencies have with homeless families (How does a family get into a shelter? Are all families living in shelters or motels involved with the Dept of Social Services?)**

If you would like to schedule a workshop on these and additional topics, complete the form on the back of this brochure and mail it to the address indicated. The format of the workshop is flexible, based on your interests. We do request that you reserve at least 1 and 1/2 hours for the inservice, and notify us at least 3 weeks in advance of your desired date. There is no charge for this workshop.

If you are interested in having a travelling inservice team give a workshop for the personnel in your school or school district, please complete this form and return it to :

Leedia Macomber, Massachusetts Dept of Education, 1385 Hancock St., Quincy, MA 02169
(617) 770-7493

(Please notify Leedia at least 3 weeks in advance of the date you have designated for the workshop.)

I am requesting an on site visit be made regarding the subject of homelessness and families.

School District _____ Address _____
Telephone Number _____ City/Zip Code _____
Target Audience _____ Your Name _____
Number of Those Who Will Attend_____ Title _____
Location of Workshop _____
Preferred Date & Time of Workshop_____ Duration of Workshop _____

Please check the items you would like presented at the workshop:

- ☐ life in a family shelter
- ☐ life in an adolescent shelter
- ☐ role of state agencies with homeless families
- ☐ strategies for school personnel who work with homeless children
- ☐ life in a battered women's sheleter
- ☐ effects of homelessness on children
- ☐ state and federal laws and policies regarding education of homeless children

Please list the specific concerns/questions your school personnel have regarding homeless children:

INSERVICE ON HOMELESSNESS AND CHILDREN

This brochure describes a workshop which can be presented in your school or school district by a team of people consisting of a representative from a family, battered women or adolescent shelter, the Massachusetts Departments of Education, Public Health, Public Welfare and Social Services. The purpose of this team is to provide school personnel with information on homeless families and children and to assist teachers, counselors and administrators with specific ways to overcome barriers homeless children may face in their attempt to succeed in school.

(Please post the inside description for the staff in your school.)